

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:

DANNY KEITH CLEM
5417 REAGAN RUN
ANTIOCH, TN 37013

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)

CASE NO. 19-00974-CW3-13
JUDGE CHARLES M WALKER

SSN XXX-XX-1606

THE DEADLINE FOR FILING A TIMELY RESPONSE IS 7/10/2019.

**IF A RESPONSE IS TIMELY FILED THE HEARING DATE WILL BE: 7/24/2019 AT 8:30 AM CUSTOMS
HOUSE, COURTROOM 1, 701 BROADWAY, 2ND FL, NASHVILLE, TN , 37203.**

**NOTICE OF MOTION TO DISALLOW TIME-BARRED CLAIM OF
LVNV FUNDING LLC (PAYEE LVNV FUNDING LLC) COURT'S CLAIM #11**

Henry E. Hildebrand, III, Chapter 13 Trustee, has asked the court for the following relief: Motion to Disallow Time-Barred Claim of LVNV FUNDING LLC (PAYEE LVNV FUNDING LLC).

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Case Filing you may call the Bankruptcy Court at (615)736-5584. The Bankruptcy Court may be visited in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M.- 4:00 P.M.).

2. Your response must state the deadline for filing response, the date of the scheduled hearing, and the motion to which you are responding .

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above.

THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE. You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

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IN RE:)
DANNY KEITH CLEM)
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CASE NO. 19-00974-CW3-13
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**MOTION TO DISALLOW TIME-BARRED CLAIM OF
LVNV FUNDING LLC (PAYEE LVNV FUNDING LLC) COURT'S CLAIM #11**

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee ("Trustee"), respectfully requests this Court disallow the claim of LVNV FUNDING LLC (payee LVNV FUNDING LLC), designated claim #11 on the Court's claims register. In support of the motion, the Trustee would state that collection of the debt is barred by the applicable statute of limitations and that the claim is therefore subject to disallowance under 11 U.S.C. § 502(b)(1).

WHEREFORE, the premises considered, the Trustee requests that this court disallow the time-barred claim of LVNV FUNDING LLC, payee LVNV FUNDING LLC, filed as claim #11 on the Court's claims register.

Respectfully submitted,

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

I hereby certify that a true and correct copy of the foregoing has been served by US Postal Service, postage prepaid on DANNY KEITH CLEM, 5417 Reagan Run, Antioch, TN 37013; and
LVNV FUNDING LLC RESURGENT CAPITAL SERVICES, P O BOX 10587, GREENVILLE, SC 29603;
LVNV FUNDING LLC, c/o CORPORATION SERVICE COMPANY, 2908 POSTON AVE, NASHVILLE TN 37203;
LVNV FUNDING LLC, 55 BEATTIE PL STE 110, GREENVILLE SC 29601;
LVNV FUNDING LLC, 6801 S CIMARRON RD STE 424 J, LAS VEGAS NV 89113;

and through email by Electronic Case Noticing to:
Ms Beth R Derrick, Assistant US Trustee
MARY CATHERINE GASSER, Debtor's counsel
on this 10th day of June, 2019.

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
Chapter 13 Trustee

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**ORDER TO DISALLOW THE TIME-BARRED CLAIM OF
LVNV FUNDING LLC (PAYEE LVNV FUNDING LLC) COURT'S CLAIM #11**

It appearing to the Court, based upon the request of the Trustee, as indicated by his electronic signature below, that the Trustee has filed a Notice and Motion to Disallow the Time-Barred claim of LVNV FUNDING LLC (Payee LVNV FUNDING LLC, Court Claim #11) and that the Trustee has received no objection to the motion, it is, therefore,

ORDERED, the claim of creditor LVNV FUNDING LLC (Payee LVNV FUNDING LLC), designated claim #11 on the Court's claims register is disallowed as time-barred under the applicable statute of limitations.

APPROVED FOR ENTRY:

/s/ Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
CHAPTER 13 TRUSTEE
P O BOX 340019
NASHVILLE, TN 37203
PHONE: 615-244-1101
FAX: 615-242-3241
pleadings@ch13nsh.com

THIS ORDER WAS SIGNED AND
ENTERED ELECTRONICALLY AS
INDICATED AT THE TOP OF THE FIRST
PAGE.